



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



DAN WYANT
DIRECTOR

April 17, 2013

CERTIFIED MAIL

Mr. John Wagner
Diamond Chrome Plating, Inc.
604 South Michigan Avenue
PO Box 557
Howell, Michigan 48843

VN No. VN-005544

Dear Mr. Wagner:

SUBJECT: Violation Notice
NPDES Permit No. MI0058204
Designated Name: Diamond Chrome Plating Inc

The Department of Environmental Quality (DEQ), Water Resources Division (WRD), has been notified that Diamond Chrome Plating Incorporated (DCP) is in violation of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.3101 *et seq.* and the Administrative Rules promulgated there under being 2006 AACS R 323.2101 *et seq.*, as amended and National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058204, which was issued on August 16, 2007, effective November 1, 2007. In addition, DEQ WRD staff, along with DEQ Air Quality Division (AQD) staff, inspected the DCP facility, located at 604 South Michigan Avenue on April 9, 2013, to determine compliance with NPDES Permit No. MI0058204. Further, recent municipal storm sewer monitoring has shown violations of water quality standards. Please note that this letter addresses DEQ WRD concerns only.

Effluent Limit Violation

DCP reported a total cadmium effluent limit violation occurring on March 21, 2013. This monitoring result is a violation of your permit (see Table 1 below). In addition, DCP reported zinc concentrations in effluent that indicate an exceedance of water quality standards (WQS) (see Table 1 below). We note that the total zinc final chronic value WQS is 825 ug/l.

Table 1: Effluent Limit Violations and Water Quality Standard (WQS) Violations

DATE	Total Cadmium EFFLUENT LIMITATION, Daily Maximum	Total Cadmium REPORTED VALUE	Total Zinc WQS, Final Acute Value	Total Zinc REPORTED VALUE
3/15/2013	55 ug/l	260 ug/l	1,400 ug/l	53,000 ug/l

Verbal notice of the violation was provided within 24 hours of DCP's becoming aware of the violation. Part II.C.6. of your NPDES permit requires that a written submission shall be provided within five days. The written report was received via both email and certified mail on March 28, 2013, two days late. This type of reporting violation was discussed in our violation notice dated August 7, 2012. DCP responded in its letter dated September 24, 2012, that it would follow NPDES permit notice requirements.

The violation identified in this Violation Notice has ceased, but since the cause is unknown according to DCP, it is unclear whether violations will recur. The violations identified in the Violation Notice are violations of Part 31 and NPDES Permit No. MI0058204. DCP should take immediate action to achieve and maintain compliance with the terms and conditions of Part 31 and NPDES Permit No. MI0058204.

Inspection

Mr. Jerry Chinn, DCP; Mr. Tom Poplawski, DCP; Mr. Monroe Huckaby, DCP; Mr. Daniel McGeen, DEQ AQD, and I participated in the inspection. The main part of the east roof, the truck bay, roll-off bin area, north yard, scrubbers, and alley were observed during the inspection. The following summarizes DEQ WRD's findings. Duct references correspond to the annotations provided in the revised Storm Water Pollution Prevention Plan (SWPPP) submitted on April 2, 2013.

1. **Roof.** The following issues were observed on the roof. Your SWPPP states that seeps will be cleaned on the same day that they are observed (see SWPPP, Table 3). Ducts that are not properly sealed or improperly functioning capture equipment should be cleaned and/or repaired within this same timeframe. Items 1.a.- e constitute violations of your NPDES permit for failure to implement your SWPPP.
 - a. **Leaking Ducts.** Roof ductwork exhibited numerous leaks that had not been cleaned, at least one on a vertical duct (V11) and on the underside of the duct for almost all duct segments. A large leak at NH21 from a failed repair was observed to drip into the catch tray. Although catch trays have been placed under most of the ductwork to capture leaks, significant materials may come into contact with storm water during a storm event, especially where there is wind or intense rain.
 - b. **Duct seal:** The rubber boot between segments SH5 and SH6 was not properly connected, potentially allowing chromic acid to be released.
 - c. **Catch trays.** There was staining on the roof surface underneath the NH4 duct, potentially due to a leaking seam in the catch tray. Overlapping liners in the SH10 area may route chromic acid to the roof, especially during a storm event.
 - d. **Failing Duct Repair:** Although not observed to be leaking, an old repair at NH4-NH5 exhibited peeling tape or similar material.
 - e. **Collars:** Several containment collars were observed to be full of water, including V6 and VP1. Collars that do not drain properly have the potential to accumulate and allow storm water to contact significant materials.
2. **North Yard.** Your SWPPP states that the site will be inspected daily to determine if items (equipment, waste materials, etc.) are being stored outside. DCP has committed to covering or bringing these items inside on the day of discovery (see SWPPP, Table 3). Items 2a-b below constitute violations of your NPDES permit for failure to implement your SWPPP.
 - a. **Racks** (described by Mr. Chinn as oven racks) were stored outside in the North Yard. Although rinsed parts were reportedly placed on these racks, significant materials may be present on rack surfaces. These items should be moved inside.
 - b. **Used pallets, pipes, metal structure, and metal pieces** were stored in the yard. These items should be stored inside, covered, or removed.
 - c. **The small storage building's roll-up door** was open. This door should be kept closed when not in use so that storm water does not come into contact with materials stored inside.

3. **Alley.** Your SWPPP states that the site will be inspected daily to determine if items (equipment, waste materials, etc.) are being stored outside. DCP has committed to covering or bringing these items inside on the day of discovery (see SWPPP, Table 3). Items 3a-b below constitute violations of your NPDES permit for failure to implement your SWPPP. Any items that may have residual metals, oils, etc. should be stored under cover or inside.
- Racks, totes, ducts, and other materials have accumulated in the alley.
 - The tarp for the metal storage container is ripped and torn and should be replaced to prevent storm water from coming into contact with significant materials.

These continuing NPDES permit violations for failure to implement an adequate SWPPP were described in our Violation Notice dated December 20, 2012. DCP responded in its letter dated April 1, 2013, with a revised SWPPP.

Contaminated Groundwater Discharge Violations

The violations of water quality standards, shown below in Table 2, were recently found during DEQ WRD sampling at the primary sampling point (Morgan Street) location, upstream of the outfall to the Marion Genoa Drain, and demonstrate an illicit discharge to the City of Howell municipal separate storm sewer system. Samples were not taken at the storm sewer outfall itself due to surcharging of the stream into the outfall. It should be noted that under the Consent Decree, Case No. 03-1862-CE, Section 6.6(d), DCP has committed to conduct response activities to meet performance objectives if water quality standards are exceeded, as detailed in the approved Catch Basin Monitoring Contingency Plan.

Table 2, Violations of Water Quality Standards (WQS)

Date	Hexavalent Chromium, ug/l	WQS, Hexavalent Chromium, ug/l	Total Chromium, ug/l	WQS, Total Chromium, ug/l
3/22/13	31	11	250	212
3/26/13	62	11	280	212

The results of the DEQ WRD storm sewer monitoring to date are enclosed for your information. DCP should prepare to offer potential solutions to these violations for discussion at the meeting scheduled for April 22, 2013.

Please submit a written report to this office by June 1, 2013. At a minimum, the response shall include the following:

- The results of the investigation described in DCP's letter dated March 26, 2013, including a summary of all sampling results and an evaluation thereof;
- An evaluation of the treatment capability of the storm water treatment system, including estimates of the concentrations of the specific pollutants of concern (chromium, hexavalent chromium, cadmium, zinc) that the system is expected to be able to treat; and
- The results of American Peat Technology, LLC percent loading analysis of the tank resin and the resulting evaluation of tank media usability.
- A description of how DCP plans to address the failures to implement the SWPPP that were identified during the April 9, 2013, inspection.

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If you have any factual information you would like us to consider regarding the violations identified in this Notice, please provide them with your written response.

Please be aware that DCP is required to be in compliance with Parts 55, 111 and 201 of the Natural Resources and Environmental Protection Act, which may have more stringent requirements than those described in this letter. Please contact Mr. William Yocum for questions about compliance with Part 111, Mr. Daniel McGeen for questions regarding Part 55, and Ms. Rebecca Taylor for questions about Part 201.

We anticipate and appreciate your cooperation in resolving this matter. Should you require further information regarding this Notice or if you would like to arrange a meeting to discuss it, please contact me at 517-335-6106; davidsonc@michigan.gov; or Department of Environmental Quality, Constitution Hall, 525 West Allegan, 4th Floor-North, P.O. Box 30242, Lansing, Michigan 48909-7742.

Sincerely,

A handwritten signature in black ink, appearing to read "Carla Davidson", with a long horizontal flourish extending to the right.

Carla Davidson
Lansing District Office
Water Resources Division
517-335-6106

cd:sb

Enclosures